

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

OAKLAND TACTICAL  
SUPPLY, LLC, et al.,

Plaintiffs,

Civil Action No. 18-CV-13443

vs.

HON. BERNARD A. FRIEDMAN

HOWELL TOWNSHIP,

Defendant.  
\_\_\_\_\_ /

**ORDER DENYING DEFENDANT'S MOTION TO DISMISS  
THE FIRST AMENDED COMPLAINT AS MOOT**

On June 21, 2019, defendant filed a motion in this matter to dismiss the first amended complaint [docket entry 39]. On July 11, plaintiffs filed a second amended complaint [docket entry 44], and defendant filed an answer to the second amended complaint on July 25 [docket entry 46]. The Court conducted a status/settlement conference with the parties on August 28, after which the Court stayed the case to allow them to continue to work on a resolution. The parties have recently indicated to the Court in a joint status report that they are unable to reach a settlement agreement. Because defendant's motion relates to the first amended complaint, the Court hereby denies defendant's motion to dismiss as moot. Defendant has thirty days from the date of this order to file a motion to dismiss the second amended complaint, if it elects to do so. The response and reply deadlines are to be governed by the briefing schedule in E.D. Mich. LR 7.1(e).

SO ORDERED.

s/Bernard A. Friedman  
\_\_\_\_\_  
Bernard A. Friedman  
Senior United States District Judge

Dated: May 20, 2020  
Detroit, Michigan